

~~CONFIDENTIAL~~

LS 6-0453a

OGC Has Reviewed

6 March 1956

MEMORANDUM FOR: Chief, FE

25X1A9a

ATTENTION:

25X1A8a

SUBJECTS

Dependent Mother - Travel Expenses of 25X1A9a

REFERENCE:

Memorandum from Chief, FE, to Office of General Counsel, dated 7 February 1956, Subject: Request Legal Determination on Travel Expenses of Staff Employee Dependent

1. You have requested the opinion of this Office as to subject's liability to reimburse the Government for the travel expenses of his mother in proceeding from the United States to his field station at [REDACTED] where he has failed to live up to his agreement that he would remain in the field for one year after her arrival. We have discussed the case with [REDACTED] of [REDACTED] who advises that [REDACTED] requested that his mother be sent to the field to join him for the duration of his tour. He was advised of the Agency's policy that dependents would not be shipped unless the employee had at least one year remaining to be served. He thereupon agreed to extend his tour so as to remain in the field for one year after his mother's arrival. His mother arrived in the field on 9 September 1955. Subject resigned from the Agency on 9 February 1956 in order to accept a job with a private employer in [REDACTED].

2. [REDACTED] also advised that [REDACTED] is aware that he will have to pay the expenses of returning his mother to the United States, and he is aware that he is personally entitled to return transportation to the United States within 90 days of his resignation.

Consequently, when subject requested his mother's travel some three years after his arrival, and when it was actually effected some six months later, he was being granted a privilege which would be contingent upon his serving until 9 September 1956; and failing so to serve, he has failed to live up to

SECRET

the condition upon which the privilege was granted. His situation is not unlike that of the employee who resigns for personal convenience within twelve months after his arrival at a field station and who must reimburse the Government for moneys spent in his travel.

4. It is the opinion of this Office that there is no legal basis for this Agency to bear these expenses under the circumstances. Action should be undertaken to recover from subject the total amount previously advanced or reimbursed him for expenses of his mother's travel to [REDACTED]

25X1A6a

25X1A9a

[REDACTED]
Assistant General Counsel

Attachments

OGC:RPB:mz

Distribution:

- Orig. & 1 - Addressee *w/ basic*
1 - Subject ✓
1 - Signer
1 - Legal
1 - Vital
1 - OGC Chrono

SECRET